

Karen A. Overstreet  
Chief Bankruptcy Judge  
United States Courthouse  
700 Stewart Street, Suite 6310  
Seattle, WA 98101

**IN THE BANKRUPTCY COURT OF THE UNITED STATES FOR  
THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

In re  Karl John Reinke,  Debtor(s).  _____  KARL REINKE, an individual,  Plaintiff  v.  NORTHWEST TRUSTEE SERVICE, INC., a Washington Corporation, AURORA LOAN SERVICES, LLC, a Delaware Corporation, BAC HOME LOANS SERVICING, INC, f/k/a COUNTRYWIDE HOME LOANS SERVICING LP, a Texas Corporation; HOME CAPITAL FUNDING, a California Corporation; FIRST AMERICAN TITLE INSURANCE COMPANY, a Washington Corporation; LAWYERS TITLE INSURANCE COMPANY, a Nebraska Corporation; WINSTAR MORTGAGE PARTNERS, INC., a Minnesota Corporation its successors and assigns; and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a Delaware Corporation,  Defendants.	Chapter 11  Case No. 09-19609    Adversary No. 09-01541   <b>AMENDED NOTICE OF APPEAL</b>
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**COMES NOW** the Plaintiff/Appellant, KARL REINKE, an individual, by and  
through his attorney, RICHARD LLEWELYN JONES, P.S., and pursuant to 28 USC

AMENDED NOTICE OF APPEAL - 1

RICHARD LLEWELYN JONES, P.S.

ATTORNEY AT LAW  
2050 - 112th Avenue N.E.  
Suite 230  
Bellevue, Washington 98004  
(425) 462-7322

1 158(a)(1) or (a)(2) and FRBP 8001, et seq., appeals to the Bankruptcy Appellate Panel from  
2 the final order granting Defendant/Appellee, BAC HOME LOANS SERVICING, LP's Motion  
3 for Summary Judgment entered May 28, 2010 by the Honorable Karen A. Overstreet in this  
4 adversary proceeding. A true and correct copy of said Summary Judgment is attached hereto  
5 and incorporated herein by this reference. The Defendant/Appellee, BAC HOME LOANS  
6 SERVICING, LP is represented by JOHN S. DEVLIN of Lane Powell, PC., 1420 Fifth Ave.,  
7 Suite 4100, Seattle, WA 98101 (206.223.7000). The Defendant/Appellee, AURORA LOAN  
8 SERVICES, is represented by DAVID WEIBEL of Bishop White Marshall & Weibel, P.S.,  
9 720 Olive Way, Suite 1301, Seattle, WA 98101 (206.622.5306). The Defendant/Appellee,  
10 NORTHWEST TRUSTEE SERVICE, INC., is represented by Agent, Jeffrey Stenman, 3535  
11 Factoria Blvd SE, Suite 200, Bellevue, WA 98006 (425.458.2121). The Defendant/Appellee,  
12 HOME CAPITAL FUNDING, is represented by Agent, Timothy Larsen, 13504 57<sup>th</sup> Ave NW,  
13 Gig Harbor, WA 98332 (206.574.0598). The Defendant/Appellee, LAWYERS TITLE  
14 INSURANCE COMPANY is represented by Agent, Charles W. Traflon III, 1501 Fourth Ave,  
15 Suite 308, Seattle, WA 98101 (206.233.0300). The Defendant/Appellee, MORTGAGE  
16 ELECTRONIC REGISTRATION SYSTEMS, INC., is represented by Agent, Robert  
17 Jacobson, 93 S. Jackson St., Dept. 37265, Seattle, WA 98104. The Defendant/Appellee,  
18 WINSTAR MORTGAGE PARTNERS, INC. is represented by Agent, Corporation Service  
19 Company, 6500 Harbour Heights Pkwy., Mukilteo, WA 98275. All other parties in interest  
20 named herein and their respective attorneys of record are identified in the Certificate of Notice  
21 attached to the subject Order Granting Defendant BAC Home Loans Servicing, LP's Motion  
22

AMENDED NOTICE OF APPEAL - 2

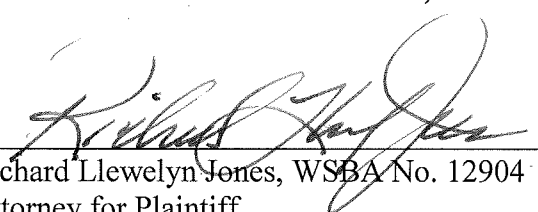
RICHARD LLEWELYN JONES, P.S.

ATTORNEY AT LAW  
2050 - 112th Avenue N.E.  
Suite 230  
Bellevue, Washington 98004  
(425) 462-7322

1 for Summary Judgment entered May 28, 2010 and attached hereto.

2 **RESPECTFULLY SUBMITTED** this 11<sup>th</sup> day of June, 2010.

3 **RICHARD LLEWELYN JONES, P.S.**

4   
5 Richard Llewelyn Jones, WSBA No. 12904  
6 Attorney for Plaintiff  
7 2050 – 112<sup>th</sup> Ave., N.E., Suite 230  
8 Bellevue, WA 98004  
9 425.462.7322 (phone)  
10 425.450.0249 (fax)  
11 rlj@richardjoneslaw.com

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AMENDED NOTICE OF APPEAL - 3

**RICHARD LLEWELYN JONES, P.S.**

ATTORNEY AT LAW  
2050 – 112th Avenue N.E.  
Suite 230  
Bellevue, Washington 98004  
(425) 462-7322

**FILED**  
Western District of Washington  
at Seattle

MAY 28 2010

**U.S. Bankruptcy Court**

HONORABLE KAREN A. OVERSTREET  
Chapter 11

Hearing Date: May 28, 2010

Hearing Time: 9:30 a.m.

Location: Seattle, Room 7206

Response Date: May 21, 2010

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In Re:

NO. 09-19609

KARL JOHN REINKE,

Debtor.

KARL REINKE, an individual,,

Plaintiff,

v.

NORTHWEST TRUSTEE SERVICE INC.,

a Washington corporation;

AURORA LOAN SERVICES LLC, a

Delaware corporation; BAC HOME

LOANS SERVICING (f/k/a

COUNTRYWIDE HOME LOANS

SERVICING

LP, a Texas corporation; HOME

CAPITAL FUNDING, a California

corporation; FIRST AMERICAN

TITLE INSURANCE COMPANY, a

Washington corporation; LAWYERS

TITLE INSURANCE COMPANY, a

Nebraska corporation; WINSTAR

MORTGAGE PARTNERS INC, a

Minnesota corporation, its

successors and assign; MORTGAGE

ELECTRONIC REGISTRATION

SYSTEMS INC., a Delaware

corporation,

Defendants.)

Adversary No. 09-01541

**ORDER GRANTING DEFENDANT  
BAC HOME LOANS SERVICING,  
LP'S MOTION FOR SUMMARY  
JUDGMENT**

**[PROPOSED]**

[ORDER GRANTING DEFENDANT BAC HOME  
LOANS SERVICING, LP'S MOTION FOR SUMMARY  
JUDGMENT - 1

116589 0154/1837881 1

LANE POWELL PC  
1420 FIFTH AVENUE, SUITE 4100  
SEATTLE, WASHINGTON 98101-2338  
206 223 7000 FAX 206 223 7107

1 THIS MATTER having come before the Court upon the motion brought by  
2 Defendant BAC Home Loan Servicing, LP ("BAC"), incorrectly identified in the above  
3 adversary proceeding as "BAC Home Loans Servicing (f/k/a Countrywide Home Loans  
4 Servicing, LP)", by and through its counsel, Lane Powell PC, for entry of an order dismissing  
5 Karl Reinke's ("Plaintiff") Amended Complaint against it with prejudice; the Court having  
6 considered the Motion and supporting memorandum, and the files and records herein, and  
7 finds that circumstances exist for the relief requested, *The court's oral ruling*  
*on the record is incorporated*  
*by reference.* *KMO*

8 NOW THEREFORE, it is hereby

9 ORDERED that the Motion is hereby granted, and all claims in Plaintiff's Amended  
10 Complaint as against BAC are hereby DISMISSED WITH PREJUDICE pursuant Fed. R.  
11 Bankr. P. 7056 and 9013, Fed. R. Civ. P. 56, and Local Bankruptcy Rules 7056-1 and 9013-  
12 1.

13 DATED this 28<sup>th</sup> day of May, 2010.

*Karen A. Overstreet*  
HONORABLE KAREN A. OVERSTREET

16 Presented by:

17 LANE POWELL PC

18 By/s/*John S. Devlin*

19 John S. Devlin III, WSBA No. 23988  
20 Andrew G. Yates, WSBA No. 34239  
21 Attorneys for Defendants BAC Home  
22 Loans Servicing, LP  
23  
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25  
26

[ORDER GRANTING DEFENDANT BAC HOME  
LOANS SERVICING, LP'S MOTION FOR SUMMARY  
JUDGMENT - 2

116589 0154/1837881 1

LANE POWELL PC  
1420 FIFTH AVENUE, SUITE 4100  
SEATTLE, WASHINGTON 98101-2338  
206 223 7000 FAX 206 223 7107

# CERTIFICATE OF NOTICE

District/off: 0981-2  
Case: 09-01541

User: victoriab  
Form ID: pdfap

Page 1 of 1  
Total Noticed: 8

Date Rcvd: May 28, 2010

The following entities were noticed by first class mail on May 30, 2010,  
dft +Aurora Loan Services LLC, David Weibel, Bishop White Marshall PS, 720 Olive Way #1301,  
Seattle, WA 98101-1834  
dft +BAC Home Loans Servicing Inc, John Devlin, Lane Powell PC, 1420 Fifth Ave #4100,  
Seattle, WA 98101-2338  
dft +Home Capital Funding, c/o Timothy Larsen, 13504 57th Ave NW, Gig Harbor, WA 98332-9115  
pla +Karl John Reinke, 923 N. 76th Street, Seattle, WA 98103-4724  
dft +Lawyers Title Insurance Company, Agent: Charles W Trafalon III, 1501 4th Ave Ste 308,  
Seattle, WA 98101-1660  
dft +Mortgage Electronic Registration Systems Inc, Agent: Robert Jacobsen,  
93 S Jackson St Dept 37265, Seattle, WA 98104-2818  
dft +Northwest Trustee Services Inc, Agent: Jeffrey Stenman, 3535 Factoria Blvd SE #200,  
Bellevue, WA 98006-1263  
dft +Winstar Mortgage Partners Inc, Agent: Corporation Service Company, 6500 Harbour Heights Pkwy,  
Mukilteo, WA 98275-4889

The following entities were noticed by electronic transmission.  
NONE.

TOTAL: 0

dft \*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*  
First American Title Insurance Company

TOTALS: 1, \* 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 30, 2010

Signature:

